

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

JUSTIN A. CLEVELAND,

Plaintiff,

vs.

DAVE COOPER, ET AL.,

Defendants.

**CV 22-097-GF-BMM-JTJ**

**ORDER**

Plaintiff Justin A. Cleveland filed a 42 U.S.C. § 1983 Complaint alleging violations of his constitutional rights. (Doc. 1.) Magistrate Judge John Johnston screened the Complaint and determined that it fails to state a claim for relief and should be dismissed. (Doc. 8.) Magistrate Judge Johnston provided Cleveland with the opportunity to amend his Complaint. *Id.* Cleveland has not filed an Amended Complaint.

**ORDER**

Accordingly, **IT IS ORDERED** that:

1. Cleveland's Complaint is **DISMISSED**, for failure to state a claim, as explained in the Court's prior order.
2. The Clerk of Court is directed to close this matter and enter judgment pursuant to Fed. R. Civ. P. 58.
3. Cleveland's filing of this action counts as a strike against him within

the meaning of 28 U.S.C. § 1915(g).

DATED this 8th day of December, 2022.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

---

Brian Morris, Chief District Judge  
United States District Court